



**Austin City Council  
MINUTES**

**REGULAR MEETING  
THURSDAY, OCTOBER 3, 2002**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed.

The City Council of Austin, Texas, convened in a regular meeting on Thursday, October 3, 2002 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

**Invocation:** Elder Erick Wright, Kingdom of God Christian Center

**Mayor Garcia called the Council Meeting to order at 12:04 p.m.**

**Mayor Garcia recessed the meeting at 12:06 p.m. to go into Executive Session**

**EXECUTIVE SESSION**

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

**Private Consultation with Attorney - Section 551.071**

1. Discuss *John Mount, et al. v. City of Austin*, Cause No. 95-14287, in the Travis County District Court. (Concerns pay issues for certain APD officers).
2. Discuss legal issues related to *In The Matter Of The Application Of The City of Austin For A Water Certificate Of Convenience And Necessity (NO. 33562-C) And A Wastewater Certificate Of Convenience And Necessity (NO. 33563-C), SOAH DOCKET NO. 582-02-3056.*

**Item 3 was discussed later in the meeting.**

**Executive Session ended at 1:36 p.m. and Mayor Garcia called the Council Meeting back to order.**

**CITIZEN COMMUNICATIONS: GENERAL**

4. Dr. Craig Nazor - Zilker Botanical Gardens
5. Gus Pena - To Discuss City issues that are of concern to the Public. **ABSENT**
6. Lori C-Renteria - Crime & Safety around Sanchez Elementary School.

**CONSENT AGENDA**

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Mayor Pro Tem Goodman's motion, Council Member Dunkerley's second on a 7-0 vote.

7. Approval of minutes from worksession of September 25, 2002 and regular meeting of September 26, 2002.  
**The minutes from the work session of September 25, 2002 and the regular meeting of September 26, 2002 were approved.**
8. Authorize execution of an amendment to the legal services agreement with Bracewell & Patterson, L.L.P., Austin, Texas, for legal services related to *In The Matter Of the Application Of The City of Austin For A Water Certificate Of Convenience And Necessity (NO. 33562-C), And A Wastewater Certificate Of Convenience And Necessity (NO. 33563-C), SOAH DOCKET NO. 582-02-3056* for an increase of \$500,000, with a total contract amount not to exceed \$968,000.  
**The motion authorizing the execution of an amendment was approved.**
9. Approve a resolution for the filing of eminent domain proceedings to acquire approximately .43 of an acre being Lot One (1) of Uptown Business Park Section Two (2), a subdivision in Austin, Travis County, Texas, owned by the North American Islamic Trust, a non-profit organization, for construction of the Mueller substation. (Funding in the amount of \$28,000 is available in the 2002-2003 Approved Capital Budget of the Electric Utility Department.) (Recommended by Electric Utility Commission)  
**Resolution No. 021003-9 was approved.**
10. Approve negotiation and execution of a contract with STANDARD AUTOMATIC FIRE ENTERPRISES (SAFE), College Station, Texas, to provide the design, furnishing, installation, and testing of new fire protection system upgrades for the Holly, Decker and Sand Hill power plants, in an amount not to exceed \$5,225,000. (Funding is available in the 2002-2003 Approved Capital Budget for the Electric Utility Department.) 27% MBE, 2% WBE subcontracting participation. (Recommended by Electric Utility Commission)  
**The motion authorizing the negotiation and execution of a contract was approved.**
11. Approve an ordinance amending Chapter 2-2-24 of the Austin City Code to change the deadline to sign up for Citizen Communication from noon to 9:30 a.m. on the Friday one week before the meeting date.  
**Ordinance No. 021003-11 was approved.**
12. Approve a resolution adopting the City of Austin Investment Policy. (Approved by Investment Committee and Audit and Finance Committee)  
**Resolution No. 021003-12 was approved.**
13. Approve an ordinance amending Article I of Chapter 3-3 of the City Code relating to dogs and cats. (Recommended by Animal Advisory)  
**Ordinance No. 021003-13 was approved.**

14. Approve the negotiation and execution of a one-year service agreement for an amount not to exceed \$10,697,407 in new funding with the Austin Housing Finance Corporation (AHFC); and authorize AHFC to manage and operate certain City housing programs in Fiscal Year 2002-2003. [Housing Trust Fund of \$500,000; City of Austin S.M.A.R.T. Housing Capital Improvement Project Fund \$2,040,000; City of Austin General Fund \$12,800; Program Income of \$1,610,000; revolving fund \$130,000; Private Financing (\*) \$300,000 and federal grant proceeds of \$6,104,607.] (Related Item No. AHFC-2)  
**The motion authorizing the negotiation and execution of a service agreement was approved.**

**Item 15 was pulled for discussion.**

16. Approve execution of a contract with AUSTIN FILTER SYSTEM, INC. for construction of Hike and Bike Trail Repair for Shoal Creek Greenbelt/Pease Park, in an amount not to exceed \$584,066.60. (Funding was included in Fiscal Year 2001-2002 approved Capital Budget of the Parks and Recreation Department.) Lowest of four bids received. 30.81% MBE, 6.08% WBE subcontracting participation.  
**The motion authorizing the execution of a contract was approved.**
17. Approve execution of a construction contract with AARON CONCRETE CONTRACTORS, INC., (MH/MBE, 28.91%), Austin, Texas, for street reconstruction and utility improvements on Tuscany Way at US 290, in the amount of \$738,630.10, and \$36,931.51 contingency, for a total amount not to exceed \$775,561.61. (Funding in the amount of \$685,749.86 is included in the 2002-2003 Capital Budget of the Public Works Department; \$29,647.80 is available in the 2001-2002 Amended Capital Budget of the Water & Wastewater Utility; \$60,163.95 is available in the 1995-1996 Amended Capital Budget of the Water & Wastewater Utility. Lowest of six bids received. 5.67% MBE, 12.97% WBE subcontracting participation.  
**The motion authorizing the execution of a construction contract was approved.**
18. Approve negotiation and execution of an amendment to the existing Professional Services Agreement with COTERA, KOLAR, NEGRETE & REED ARCHITECTS (MH/MBE, 33.3%), Austin, Texas, for consultant services to support the City on selection of and negotiation with the Construction Manager for the New City Hall, Public Plaza and Parking Garage, in an amount not to exceed \$90,000, for a total contract amount not to exceed \$5,773,000. (Funding in the amount of \$90,000 is available in the project contingency of the New City Hall Construction Budget which is part of the 2000-2001 Amended Capital Budget for Economic Growth & Redevelopment Services.) Overall MBE/WBE participation, including this amendment is estimated at: 41.07% MBE, 12.66% WBE.  
**The motion authorizing the negotiation and execution of an amendment was approved.**
19. Approve negotiation and execution of a contract with TECHCENTER DESIGN, INC., Austin, Texas, to design and install the Energy Control Center consoles in an amount not to exceed \$99,924. (Funding is available in the 2002-2003 Approved Capital Budget of the Electric Utility Department.) Best evaluated proposal/two proposals received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.  
**The motion authorizing the negotiation and execution of a contract was approved.**

20. Approve negotiation and execution of a 12-month service agreement with REPUBLIC ELECTRIC, Novato, CA, to retrofit existing traffic signal heads and pedestrian crossing signals with light emitting diode (LED) technology in an amount not to exceed \$4,200,000 with one 12-month extension option in an amount not to exceed \$800,000 for a total contract amount not to exceed \$5,000,000. (Funding in the amount of \$4,200,000 is available in the 2002-2003 Approved Operating Budget of the Electric Utility Department. Funding for the extension is contingent upon available funding in future budgets.) Best evaluated proposal/three proposals received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established. (Recommended by Electric Utility Commission and Resource Management Commission)  
**The motion authorizing the negotiation and execution of a service agreement was approved.**
21. Approve execution of a contract with VOICELOGGER, INC., Enid, Oklahoma, for the purchase of a full-time recording server; software licenses; training; maintenance and support in an amount not to exceed \$119,970. (Funding is available in the 2002-2003 Approved Capital Budget, for the Electric Utility Department.) Low Bid/four bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.  
**The motion authorizing the execution of a contract was approved.**
22. Approve execution of Modification No. 1 to a contract with SIEMENS ENTERPRISE NETWORK LLC, formerly known as, Siemens Communication Systems, Inc., Boca Raton, FL, for the installation of the Davox Outbound Call System in an amount not to exceed \$65,000 and an additional 12-month maintenance option for the Customer Service Center equipment in an amount not to exceed \$115,616, for a total contract amount not to exceed \$1,808,568. (Funding in the amount of \$65,000 is available in the 2002-2003 Approved Capital Budget of the Electric Utility Department and \$115,616 is available in the 2002-2003 Approved Operating Budget of the Electric Utility Department.) This contract was awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified for this solicitation.  
**The motion authorizing the execution of Modification No. 1 to a contract was approved.**
23. Approve execution of a contract with GENICS (USA) INC., The Woodlands, Texas, for the inspection and treatment of utility wooden poles in an amount not to exceed \$146,282.50. (Funding is available in the 2002-2003 Approved Operating Budget of the Electric Utility Department.) Low bid /three bids received. This contract was awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified for this solicitation.  
**The motion authorizing the execution of a contract was approved.**
24. Approve execution of Modification No. 5 to the rail transportation agreement between the City of Austin, the Lower Colorado River Authority and the Union Pacific Railroad Company to extend the term of the agreement an additional four years to provide coal deliveries to the Fayette Power Project in an amount not to exceed \$108 million over the additional four years. (Funding for rail transportation is included in the Fuel Clause Revenue. Funding for future years is contingent upon available funding in future budgets.)  
**The motion authorizing the execution of Modification No. 5 to the rail transportation agreement was approved.**

25. Approve execution of a 12-month supply agreement with DXI INDUSTRIES, INC., Houston, Texas, to provide liquid chlorine for the Water and Wastewater Utility, in an amount not to exceed \$631,498.80 with two 12-month extension options in an amount not to exceed \$631,498.80 per extension, for a total contract amount not to exceed \$1,894,496.40. (Funding in the amount of \$578,873.90 is available in the 2002-2003 Approved Operating Budget of the Water and Wastewater Utility. Funding for the remaining one month of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid of two bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.

**The motion authorizing the execution of a supply agreement was approved.**

**Item 26 was removed from the agenda.**

27. Approve execution of a 12-month supply agreement with NLS ANIMAL HEALTH, Oklahoma City, OK, for the purchase of veterinary supplies for the Town Lake Animal Center, in an amount not to exceed \$64,804.48 with two 12-month extension options in an amount not to exceed \$64,804.48 per extension for a total contract amount not to exceed \$194,413.44. (Funding in the amount of \$64,804.48 is available in the 2002-2003 Approved Operating Budget for the Health and Human Services Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bidder/four bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**The motion authorizing the execution of a supply agreement was approved.**

28. Approve execution of 12-month service agreements with SOUTHWEST CONSTRUCTORS, Austin, Texas; A.A.R., INC., Houston, Texas; SISK-ROBB, INC., Austin, Texas; and MERICO ABATEMENT CONTRACTORS, INC., Longview, Texas, for the asbestos abatement services for industrial facilities for the Electric Utility Department in an amount not to exceed \$450,000 each and combined with three 12-month extension options in an amount not to exceed \$450,000 per extension option, each and combined, for total contract amount not to exceed \$1,800,000, each and combined; and with SOUTHWEST CONSTRUCTORS, INC., Austin, Texas; ARC ABATEMENT, Austin, Texas; and SISK-ROBB, INC., Austin, Texas, for asbestos abatement services for public access facilities for the Public Works Department in an amount not to exceed \$250,000 each and combined with three 12-month extension options in an amount not to exceed \$250,000 per extension option, each and combined for a total contract amount not to exceed \$1,000,000, each and combined. (Funding in the amount of \$450,000 is available in the 2002-2003 Approved Capital Budget for the Electric Utility Department and \$250,000 is available in the 2002-2003 Approved Capital Budget for the Department of Public Works. Funding for the extension options is contingent upon available funding in future Capital Budgets.) Best-evaluated proposals/six proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. There were no opportunities for subcontracting; therefore, no MBE/WBE goals were established for this solicitation.

**The motion authorizing the execution of service agreements were approved.**

29. Ratify a contract with ARCHER WESTERN CONTRACTORS, LTD., Chicago, IL for construction of an emergency wastewater by-pass pump systems for the Onion Creek Tunnel Liner Removal Project in an amount not to exceed \$3,947,239 with an \$800,000 contingency for a total amount not to exceed \$4,747,239. (Funding in the amount of \$4,747,239 is available in the 1995-1996 Amended Capital Budget of the Water and Wastewater Utility.) Lowest of two bids received. 5.49% MBE, .71% WBE subcontracting participation.  
**The motion authorizing a contract was approved.**
30. Approve a resolution for the acceptance of grant funding from the Capital Area Planning Council (CAPCO) under the 2002 Regional Solid Waste Grant Program in the amount of \$43,000 to purchase a hazardous materials storage building for the Household Hazardous Waste Collection Facility. [Grant from the 2002 Regional Solid Waste Grant Program (CAPCO). Funding is available in the Fiscal Year 2002-2003 Proposed Capital Budget of the Solid Waste Services Department. Grant period is from October 1, 2002 to August 31, 2003. No City match is required.] (Recommended by Solid Waste Advisory Commission)  
**Resolution No. 021003-30 was approved.**
31. Approve a resolution for the acceptance of grant funding from the Capital Area Planning Council (CAPCO) under the 2002 Regional Solid Waste Grant Program in the amount of \$30,000 to develop a public education campaign addressing the proper manner with which to dispose of hypodermic needles and sharps from home health care. In addition, provisions would be made to accept hypodermic needles and sharps from residents at the Household Hazardous Waste Collection Facility. [Funding in the amount of \$30,000 is from the 2002 Regional Solid Waste Grant Program (CAPCO and Texas Natural Resource Conservation Commission.)] (Recommended by Solid Waste Advisory Commission)  
**Resolution No. 021003-31 was approved.**
32. Approve a resolution authorizing negotiation and execution of an Advanced Funding Agreement with the Texas Department of Transportation (TxDOT) for participation in the Envision Central Texas Project, in an amount not to exceed \$400,000. [Funding in the amount of \$400,000 is contingent upon availability of Federal STP4C grant funds through TxDOT. (City's match is \$100,000 previously approved by Council and detailed below; funding is available in the 2001-2002 Capital Budget of the Transportation, Planning & Sustainability Department.)]  
**Resolution No. 021003-32 was approved.**
33. Approve an ordinance amending Ordinance No. 020909-02, the 2002-2003 Capital Budget of the Transportation, Planning & Sustainability Department by appropriating \$400,000 for the City's participation in the Envision Central Texas Project. (Funding is available through a Federal STP4C grant. City's match of \$100,000 is included in the 2002-2003 Capital Budget of the Transportation, Planning & Sustainability Department.)  
**Ordinance No. 021003-33 was approved.**
34. Approve the negotiation and execution of an amendment to the Interlocal Agreement with CAPCO for the City's participation in the Envision Central Texas Project, to increase funding for the project in an amount of up to \$900,000 for a total contract amount not to exceed \$1,150,000. (Funding in the amount of \$900,000 is included in the 2001-2002 Capital Budget of the Transportation, Planning & Sustainability Department; \$500,000 is from 2002 Capital

Metro 1/4 Cent funding; \$400,000 is contingent upon availability of funding from STP4C through grant TXDOT.)

**The motion authorizing the negotiation and execution of an amendment was approved.**

35. Approve the negotiation and execution of an agreement with TRAMMEL CROW INC., dba Parmer/Retail 35 Ltd., to remove and relocate an existing southbound exit ramp, between Howard Lane and Parmer Lane on IH-35, to the north of its existing location, in the amount not to exceed \$1,120,047. (The Trammel Crow Company will deposit with the City of Austin a check for \$1,120,047 to pay the cost associated with construction of roadway improvements. Costs include construction cost, TxDOT administrative cost, and City of Austin Administrative cost. In addition, the deposit includes a 50% of construction cost contingency Funding provided by the developer.) (Related Item No.36)  
**The motion authorizing the negotiation and execution of an agreement was approved.**
36. Approve the negotiation and execution of an Interlocal Agreement with the Texas Department of Transportation (TxDOT) for the relocation of the southbound IH-35 exit ramp, between Howard Lane and Parmer Lane, to the north of its existing location, in an amount not to exceed \$1,120,047. (Funding is available from an escrow account collected from the developer to pay for this work.) (Related Item No. 35)  
**The motion authorizing the negotiation and execution of an Interlocal Agreement was approved.**
37. Approve construction contract with EAGLE CONSTRUCTION AND ENVIRONMENTAL SERVICES, LLP, P.O. Cibolo, Texas, for construction of the North Lakewood Drive 48-inch Replacement Project, in an amount not to exceed \$46,638.84. (Funding is available in the 2001-2002 Amended Capital Budget of the Water & Wastewater Utility.) Lowest of six bids submitted. Goals were not established for this project.  
**The motion authorizing the construction contract was approved.**
38. Authorize negotiation and execution of a Joint Funding Agreement with the UNITED STATES DEPARTMENT OF THE INTERIOR GEOLOGICAL SURVEY (USGS) for water resources investigation projects for Fiscal Year 2002-2003 in the amount of \$227,492 with two twelve month extension options in an amount not to exceed \$300,000 per extension for a total contract amount not to exceed \$827,492. (Funding in the amount of \$227,492 is included in the FiscalYear 2002-2003 operating budget of the Watershed Protection and Development Review Department.)  
**The motion authorizing the negotiation and execution of a Joint Funding Agreement was approved.**

39. Appointments of Boards and Commissions.  
The following appointments were made:

<u>Board/ Appointee</u>	<u>Consensus/ Council Nominee</u>	<u>Appointment/ Reappointment</u>
<b><u>Arts Commission</u></b>		
Bruce Willenzik	Council Member Slusher	Reappointment
Mel Ziegler	Mayor Pro Tem Goodman	Reappointment
<b><u>Downtown Commission</u></b>		
Dan Leary (Historic Landmark Commission Rep.)	Consensus	Reappointment
<b><u>Environmental Board</u></b>		
Becky Morris	Mayor Pro Tem Goodman	Appointment
<b><u>Impact Fee Advisory Committee</u></b>		
Richard Kallerman	Consensus	Reappointment

Items 40 and 41 were pulled for discussion.

42. Set a public hearing to consider the reauthorization of the Austin Downtown Public Improvement District (PID). (Suggested Date and Time: October 24, 2002 at 6:00 P.M.)  
**The public hearing was set for October 24, 2002 at 6:00 p.m.**
43. Set public hearings for the full purpose annexation of the following annexation areas:  
**Forest Hills** (Approximately 10 acres in southern Travis County on the east side of Manchaca Road approximately seven tenths of a mile south of the intersection of Manchaca Road and Slaughter Lane).  
**Manchaca Road** (Approximately 1 acre in Travis County consisting of Manchaca Road right-of-way approximately one tenth of a mile at the intersection of Manchaca Road and Melibee Trail).  
**Morse TND / Dessau Road** (Approximately 285 acres in Travis County east of Dessau Road and east of the intersection of Applegate Drive and Dessau Road including Dessau Road right-of-way (ROW) from approximately one tenth of a mile south of the intersection of Dessau Road and Sprinkle Cutoff Road south to approximately three tenths of a mile north of the intersection of Dessau Road and Rundberg Lane).  
**Avery Ranch Area** (Approximately 83 acres in Williamson County north of the intersection of Avery Ranch Blvd and Staked Plains Drive).  
**Eagles Landing** (Approximately 53 acres in Travis County west of Decker Lane approximately 190 feet south of the intersection of Larical Trail and Decker Lane).  
**FM 973 ROW** (Approximately 18 acres in Travis County of FM 973 right-of-way (ROW) from approximately one quarter of a mile south of the intersection of FM 973 and State Highway 71 south to approximately one tenth of a mile south of the intersection of FM 973 and Fincher Road)  
(Suggested Dates and Times: October 24, 2002 at 6:00 p.m., Lower Colorado River Authority Hancock Building and October 31, 2002 at 6:00 p.m., Lower Colorado River Authority Hancock Building)

**The public hearings were set for October 24, 2002 and October 31, 2002 at 6:00 p.m. at the Lower Colorado River Authority Hancock Building.**

44. Set public hearings for the limited purpose annexation of the following annexation area:  
**McKinney Falls East Addition** (Approximately 42 acres in Travis County west of Thaxton Road approximately 425 feet south of the intersection of Thaxton Road and Alum Rock Drive). (Suggested Dates and Times: October 24, 2002 at 6.p.m., Lower Colorado River Authority Hancock Building and October 31, 2002 at 6.p.m., Lower Colorado River Authority Hancock Building)  
**The public hearings were set October 24, 2002 and October 31, 2002 at 6:00 p.m. at the Lower Colorado River Authority Hancock Building.**
45. Set a public hearing to approve a wastewater use agreement to allow the construction of the Taylor Branch Gravity Interceptor through dedicated parkland known as Mayfield Park in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (All costs associated with the interceptor as well as any parkland restoration will be paid by the requestor under a previously approved CIP.) (Recommended by Parks and Recreation Board) (Suggested Date and Time: November 7, 2002 at 6:00 p.m.)  
**The public hearing was set for November 7, 2002 at 6:00 p.m.**
46. Set a public hearing to approve a wastewater use agreement to allow the construction of Lower Williamson Wastewater Interceptor through dedicated parkland known as Williamson Creek Park in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife code. (All costs associated with the line as well as any parkland restoration will be paid by the requestor under a previously approved CIP project.) (Recommended by Parks and Recreation Board) (Suggested Date and Time: November 7, 2002 at 6:00 p.m.)  
**The public hearing was set for November 7, 2002 at 6:00 p.m.**

### **Discussion**

15. C14-02-0042 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9007 Manchaca Road (South Boggy/Slaughter Creek Watersheds) from DR, Development Reserve district, zoning to LO-MU-CO, Limited Office-Mixed Use-Conditional Overlay Combining district, zoning. First Reading on August 22, 2002; Vote: 7-0. Conditions met as follows: Conditional overlay incorporates the conditions approved by Council at first ordinance reading. Applicant and Property Owner: Jackson Properties (James Terrance Jackson). Agent: Boardwalk Properties (Terry Jackson). City Staff: Wendy Walsh, 974-7719.  
**Ordinance No. 021003-15, adopting the staff's recommendation, was approved on Council Member Slusher's motion, Mayor Garcia's second on a 6-0 vote. Council Member Wynn was off the dais.**

**Mayor Garcia recessed the meeting at 2:06 p.m. to go into Executive Session.**

**EXECUTIVE SESSION**

3. Discuss *Gordon Dunaway and Eli J. Garza v. The City of Austin*, Cause Number 97-12434 in the 261st Judicial District Court of Travis County, Texas (concerns development of tracts of land located near William Cannon Drive and Mopac).

Executive Session ended at 2:40 p.m.

Mayor Garcia called the Council Meeting back to order at 2:57p.m.

**Discussion**

40. Approve a resolution amending Resolution No. 970612-34, adopted by Council on June 12, 1997, to provide for special event fee waivers for certain Council endorsed events. (Council Member Will Wynn and Mayor Gus Garcia)  
**Resolution No. 021003-40 was approved on Council Member Thomas's motion, Council Member Wynn's second on a 6-0 vote. Council Member Slusher was off the dais.**
41. Approve a resolution addressing policy issues for a proposed Central Texas Regional Mobility Authority (RMA). (Mayor Gus Garcia and Council member Daryl Slusher)  
**Resolution No. 021003-41 was amended as follows on Council Member Slusher's motion, Council Member Thomas's second on a 7-0 vote. The friendly amendments from Mayor Pro Goodman and Council Member Slusher were: On page 2, first paragraph under Be It Resolved, line 4, after the word (AMATP), insert the following " , as it may be amended from time to time." In paragraph 2, line 3, following the words "water quality ordinances," insert " , as amended by the City from time to time and in effect at the time of construction."**

Mayor Garcia recessed the Council Meeting at 3:19 p.m.

Mayor Garcia called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 3:55 p.m. See separate minutes.

Mayor Garcia called the Council Meeting back to order at 4:09 p.m.

**ZONING HEARINGS AND APPROVAL OF ORDINANCES/RESTRICTIVE COVENANTS**

**The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and consent items were approved on Mayor Pro Tem Goodman's motion, Council Member Thomas' second on a 7-0 vote.**

- Z-1. C14-02-0003 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 618 Tillery Street (Colorado River Watershed) from LI, Limited Industrial Services district, zoning to SF-2, Single Family Residence Standard Lot district, zoning; SF-3, Family Residence district, zoning; SF-4A, Single Family Small Lot district, zoning; SF-4B, Single Family Residence Condominium Site district, zoning; MF-1, Multifamily Residence Limited Density district, zoning; MF-2, Multifamily Residence Low Density district, zoning; MF-3, Multifamily Residence-Medium Density district,

zoning; MF-4, Multifamily Residence Moderate High Density district, zoning; MF-5, Multifamily Residence High Density district, zoning; MF-6, Multifamily Residence Highest Density district, zoning; NO, Neighborhood Office district, zoning; LO, Limited Office district, zoning; GO, General Office district, zoning; LR, Neighborhood Commercial district, zoning; GR, Community Commercial district, zoning; and CS, General Commercial Services district, zoning. Planning Commission Recommendation: To grant W/LO-CO, Warehouse Limited Office-Conditional Overlay Combining district, zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. Property Owner: Thomas C. Calhoun. City Staff: Susan Villarreal, Watershed Protection and Development Review Department, 974-6319. **This item was postponed to indefinitely.**

- Z-3. C14-02-0116 – Chestnut Park – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2203, 2205 East 16<sup>th</sup> Street, and 1404 Chestnut Avenue (Boggy Creek Watershed) from SF-3-NP, Family Residence-Neighborhood Plan Combining district, zoning to P-NP, Public-Neighborhood Plan Combining district, zoning. Planning Commission Recommendation: To grant P-NP, Public-Neighborhood Plan Combining district, zoning. Applicant and Property Owner: City of Austin. Agent: Parks and Recreation Department (Sara Campbell). City Staff: Annick Beudet, 974-2075. **Ordinance No. 021003-Z3, for P-NP, Public-Neighborhood Plan Combining district zoning, was approved.**

#### Zoning Discussion Item

- Z-2. C14-02-0114SH – Rosewood Senior Housing Community – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2700 Lyons Road (Boggy Creek Watershed) from CS, General Commercial Services district, zoning to MF-4, Multifamily Residence Moderate-High Density district, zoning. Planning Commission Recommendation: To recommend MF-3, Multifamily Residence Medium Density district, zoning. Applicant: Rosewood I Senior Housing Community (Karen Longley). Agent: Hatch Partnership (Tom Hatch). City Staff: Annick Beudet, 974-2975. **The public hearing was closed on Council Member Slusher's motion, Mayor Pro Tem Goodman's second on a 6-0 vote. Council Member Alvarez did not participate in the discussion or vote because this property is near his home.**

**Ordinance No. 021003-Z2, for MF-3, Multifamily Residence Medium Density district zoning, was approved on Council Member Slusher's motion, Council Member Thomas's second on a 6-0 vote.**

**The motion to adjourn the meeting at 5:56 p.m. was approved on Council Member Slusher's motion, Mayor Pro Tem Goodman's second on a 4-0 vote. Mayor Garcia and Council Members Dunkerley and Wynn were off the dias.**

**The minutes from the regular session of October 3, 2002 were approved on October 10, 2002 on Council Member Slusher's motion, Council Member Thomas' second on a 7-0 vote.**